

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.5806 of 2002

Dated:17.07.2007

Between:

Pattamsetti Venkata Ramana.

...Petitioner.

and

A.P. Eastern Power Distribution Company Limited and others.

...Respondents.

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.5806 of 2002

ORDER:

This Writ Petition is filed against a notice of provisional assessment, dated 14.11.2005. The petitioner established an Ice Factory at Kadium Village and Mandal of East Godavari District. The factory is extended power supply, through S.C.No.1879. The premises were inspected on 22.09.2005, and on noticing certain incriminating circumstances, the impugned notice was issued to the petitioner, pointing out that the cost of pilfered power supply is Rs.2,65,076/-. The petitioner was required to pay a sum of Rs.1,32,538/-, in case he wants restoration of power supply. The petitioner claims to have paid a sum of Rs.1,32,538/- and got the supply restored.

After filing of the writ petition, an order of final assessment was passed, confirming the figures mentioned in the notice of provisional assessment. In the meanwhile, the writ petition was referred to a Full Bench, along with certain other matters. The reference has since been answered and the writ petition is posted before this Court.

Learned counsel for the petitioner submits that the power supply was disconnected recently, on the ground that the order of final

assessment was passed but was not challenged.

Heard learned counsel for the petitioner and learned Standing Counsel for the respondents.

Once an order of final assessment was passed, the petitioner had to avail the remedy of appeal. Inasmuch as the petitioner had already deposited half of the amount, mentioned in the order of final assessment, he does not have to make any further deposits. The respondents shall be under obligation to restore the power supply. Four weeks time is granted to the petitioner to avail the remedy of appeal.

The Writ Petition is accordingly disposed of, directing that it shall be open to the petitioner to avail the remedy of appeal, within four weeks, and the respondents shall restore the power supply forthwith. There shall be no order as to costs.

Dt.17.07.2007

L.NARASIMHA REDDY, J

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Note: Communicate operative portion of the order
by wire at party's costs.
(B/o)
GJ